



ORIGINAL

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EX PARTE OR LATE FILED

Hance Haney

Executive Director - Federal Regulatory

September 26, 2000

EX PARTE

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

RE: CC Docket No. 96-98 ✓
CC Docket No. 98-147

Dear Ms. Salas:

On Monday, September 25, 2000, Dennis Pappas, Melissa Newman and the undersigned, representing Qwest, met with Katherine Farroba and William A. Kehoe III of the Common Carrier Bureau to discuss collocation intervals. The attached material was distributed at the meeting and served as the basis for the discussion.

In accordance with Section 1.1206(b)(2) of the Commission's rules, the original and one copy of this letter and attachments are being filed with your office for inclusion in the public record of this proceeding.

Acknowledgement and date of receipt of this submission are requested. A duplicate of this letter is included for this purpose.

Sincerely,

Hance Haney
Executive Director,
Federal Regulatory

cc: Katherine Farroba
William A. Kehoe III

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List A B C D E

Collocation Ruling on Intervals

- Agenda
 - Differentiation is Required
 - Resources and Materials
 - Clarification of Business v. Calendar Days
 - Stranded Capital
 - Volumes Have Increased
 - What is Impact to Qwest



90 Calendar Day Interval for Physical Collocation

- Insufficient time for provisioning
 - The specific interconnection agreement in Montana referenced in the Reconsideration Order states that U S WEST will provide:
 - **cageless collocation** within 45 days where space and power are available;
 - **cageless collocation** within 90 days where space and power are not available;
 - the CLEC is **required** to provide a **one-year forecast** (*see att. 1*)
 - Qwest's SGAT, prior to the Reconsideration Order, provided for collocation within 90 days when **power and space are available** provided that Qwest receives five or fewer collocation orders per CLEC per week (*see att. 2*)
- Clear differentiation between collocation and augment types
 - Conditioned vs. non-conditioned space: power and HVAC delivery and installation times
 - Caged vs. Cageless collocation
 - Power augments vs. cable augments
 - Line sharing augments vs. reclassification



90 Calendar Day Interval for Physical Collocation

- Resource shortages and materials ordering
 - Qwest has increased and allocated a number of contractors and internal employees to work on all aspects of collocation
 - Frequently, materials have to be expedited due to ordering delays at the manufacturing companies over which Qwest has no control. This increases the overall cost of collocation to Qwest and the CLEC.
 - In some instance, materials costs have dramatically increased due to new rules
- Business days rather than calendar days
 - Calendar days cuts approximately 26 days off the work schedule
 - Same issue with 10 day feasibility

90 Calendar Day Interval for Physical Collocation

- Likelihood of additional stranded capital
 - Pre-provisioning and materials ordering to meet shorter time frames
 - Year to date, 472 jobs have cancelled or expired costing Qwest approximately \$4.2M in engineering and materials cost.
 - Ability to recover cost is minimal due to current cost methodology
- Continued increase in the demand for collocation
 - Increase of greater than 200% between 1999 and 2000
 - 1999 levels for collocation were at approximately 1,400
 - 2000 levels estimated at approximately 3,160 with 2326 jobs completed through 9/20 and an additional 897 being processed
 - To date, 3032 have been submitted, 1950 new requests and 1082 were augments
 - 7% of all new jobs submitted are cancelled
 - Large percentage of the jobs are for cageless collocation



90 Calendar Day Interval for Physical Collocation

- What is the impact of this ruling to Qwest?
 - Further drain on the resources available to all Providers today
 - Overall cost of provisioning will increase due to having to expedite equipment orders'
 - Increased costs lead to increases in stranded capital when jobs are cancelled
 - Once again raises the bar and causes changes in existing processes to meet these new intervals
 - Reduced time frame could adversely affect 271 applications
 - If adopted, should only pertain to cageless collocation where the CLEC provides a one-year forecast, as specified in U S WEST's interconnection agreement
 - **No one wins in provisioning disputes**



SPOT frame terminations, and termination on the applicable USWC frame.

7.5.3 All USWC terminations on the SPOT frame will be given a frame address. USWC will establish and maintain frame address records for USWC's terminations. USWC will provide the frame address to New Edge for each USWC unbundled Network Element ordered and will maintain assignment records of such USWC unbundled Network Elements (Loop, local switching, etc.) and terminations (tie cable pair) on the SPOT frame.

7.5.4 New Edge will maintain assignment records for the terminations of New Edge's equipment on the SPOT frame or applicable USWC frame. New Edge will maintain the assignment records for those frame addresses involved in connecting New Edge's equipment to USWC unbundled Network Elements and the USWC unbundled Network Elements connected to USWC unbundled Network Elements. New Edge will transmit to USWC the appropriate frame assignment information for the cross connect on the unbundled Loop order.

7.5.5 New Edge will be required to make the jumper wire connection between frame addresses to complete New Edge's circuit where New Edge seeks to combine USWC Unbundled Network Elements to each other and not to New Edge's collocated equipment. Where New Edge seeks to connect its equipment to USWC's Unbundled Network Elements, USWC shall run all necessary jumpers and make all cross connections.

7.5.6 Ordering

7.5.6.1 When New Edge submits a Collocation request, USWC will respond confirming space availability for such request within twenty one (21) calendar days, or sooner, on a best effort basis. Within thirty (30) business days of USWC providing the space availability confirmation to New Edge, New Edge will accept or reject the USWC confirmation. Acceptance by New Edge shall require payment to USWC, fifty percent (50%) of the flat rated charges set forth in Appendix A; the remaining fifty percent (50%) shall be paid upon delivery of the Common Collocation space to New Edge

7.5.6.2 Pursuant to the completion of the requirements specified in Section 7.5.6.1, above, the Common Collocation space shall be made available where space and power are readily available within 45 calendar days. Where space or power are not readily available the common Collocation space shall be made available in 90 calendar days. USWC shall use its best efforts to deliver fifty percent (50%) of all Common Collocation space orders in batches

of ten (10) or more central offices within the 45 day interval set forth above.

7.5.6.3 As part of the ordering process, New Edge will provide at a minimum a one-year forecast for each wire center in which it intends to utilize the SPOT frame. Included in this forecast will be the termination type (DS0, DS1, DS3) and the quantity of each termination required. SPOT frame terminations must be ordered in multiples of the following quantities:

- 100 DSO terminations
- 28 DS1 terminations
- 1 DS3 termination

7.5.7 New Edge Trunking Architecture

7.5.7.1 General Description. New Edge shall utilize the Custom Routing functionality of the port and combine this functionality with Dedicated Transport and unbundled tandem switching to create a local message trunk network.

7.5.7.2 Responsibility of New Edge. New Edge must determine local trunk capacity requirements, direct or tandem routed trunking, provide call routing instructions to the USWC, and provide quantity and forecasts of trunks per each A and Z location. The New Edge has complete responsibility for the design and engineering of its trunking network. All connections between the unbundled port and Dedicated Transport shall be made consistent with the SPOT rebundling requirements as set forth in this Agreement.

7.5.7.3 Responsibility of USWC. Upon receipt of New Edge routing instructions, the USWC will establish custom routing tables to direct traffic to the specific local trunk group as designated by New Edge. USWC will incorporate New Edge forecasts for trunk requirements consistent with USWC's forecasting practices.

7.6 Collocation Rate Elements

7.6.1 Common Rate Elements

The following rate elements specified in Appendix A are common to Virtual, Common, and Physical Collocation:

7.6.1.1 Quote Preparation Fee. This covers the work involved in verifying space and developing a quotation for New Edge for the total costs involved in its Collocation request.

modifications shall be performed by Qwest on shorter intervals and in no instance shall any such interval exceed thirty (30) calendar days. Final Payment is due upon completion.

8.4.3 Ordering - Caged and Cageless Physical Collocation

8.4.3.1 Upon receipt of a Collocation Order Form and QPF, Qwest will perform a feasibility study to determine if adequate space and power can be found for the placement and operation of CLEC's equipment within the Central Office. The feasibility study will be provided within ten (10) calendar days from date of receipt of the QPF. If Collocation entrance facilities and office space are found to be available, Qwest will develop a quote for the supporting structure within twenty-five (25) calendar days of providing the feasibility study. Physical Collocation price quotes will be honored for thirty (30) calendar days from the date the quote is provided. Upon receipt of the signed quote, 50% down and proof of insurance, space will be reserved and construction by Qwest will begin. When space and power requirements are available, the leased space (including the cage for Caged Physical Collocation) will be available to CLEC for placement of its equipment within ninety (90) calendar days of receipt of the 50% down payment. Depending on specific Wire Center conditions, shorter intervals may be available. Final payment is due upon completion of work.

8.4.3.2 Due to variables in equipment availability and scope of the work to be performed, additional time may be required for implementation of the structure required to support the Collocation request. Examples of structure that may not be completed within ninety (90) calendar days may include additional time for placement of a C-POI and DC power upgrades required to meet CLEC's Collocation request.

8.4.3.3 The intervals in the Ordering Section above apply to a maximum of five (5) Collocation orders per CLEC per week. If six (6) or more Collocation orders are required by CLEC in a one-week period, intervals shall be individually negotiated.

8.4.4 Ordering - Interconnection Distribution Frame Collocation

8.4.4.1 CLEC shall submit an ICDF Collocation Order Form to Qwest. The ICDF Collocation Order Form shall include a CLEC-provided eighteen (18) month forecast of demand, by DS0, DS1 and DS3 capacities, that will be terminated on the Interconnection Distribution Frame by Qwest on behalf of CLEC. Such forecasts shall be used by Qwest to determine the sizing of required tie cables and the terminations on each Interconnection Distribution Frame as well as the various other frames within the Qwest Central Office.

8.4.4.2 Upon receipt of an ICDF Collocation Order Form, Qwest will verify if ICDF Collocation capacity is available within a requested Central Office. Verification of ICDF capacity will be completed within ten (10) business days from date of receipt of the order form. Qwest will develop a quote for the supporting structure within twenty-five (25) business days of providing the feasibility study. ICDF Collocation price quotes will be honored for thirty (30) calendar days from the date the quote is provided. Upon receipt of the signed quote, 50% down construction by Qwest will begin. When space requirements are available, the ICDF Collocation will be available to CLEC for ordering of Unbundled Network Elements ninety (90) calendar days after receipt of the 50% down

payment. Depending on specific Wire Center conditions, shorter intervals may be available. Final payment is due upon completion of work.

8.4.4.3 Due to variables in equipment availability and scope of the work to be performed, additional time may be required for implementation of the structure required to support the Collocation request. Examples of structure that may not be completed within ninety (90) calendar days may include frame construction where existing ICDF capacity is not available.

8.4.4.4 The intervals in the Ordering Section above apply to a maximum of five (5) Collocation orders per CLEC per week. If six (6) or more Collocation orders are required by CLEC in a one-week period, intervals shall be individually negotiated.

8.4.4.5 When ordering UNEs or ancillary services to be terminated on the Interconnection Distribution Frame, each UNE or ancillary service is ordered separately, using the existing ordering forms and intervals for the specific UNE or ancillary service.

8.5 Billing

8.5.1 Billing - All Collocation

8.5.1.1 Upon completion of the Collocation construction activities and payment of the remaining nonrecurring balance, Qwest will provide CLEC a completion package that will initiate the recurring Collocation charges. Once this completion package has been signed by CLEC and Qwest, and Qwest has received the final 50% balance, CLEC may begin submitting service order requests for Qwest transport services and/or UNEs or ancillary services.

8.5.1.2 In the event Qwest has completed all associated construction activities and CLEC has not completed its associated activities (e.g., delivering fiber to the C-POI, or providing the equipment cables for connecting to the Interconnection Distribution Frame), Qwest will bill an adjusted amount of the remaining nonrecurring balance, close the job, and begin billing the monthly recurring rent charge. In those instances where the job is delayed due to CLEC not having its fiber to the POI, Qwest will request the balance due minus the dollar amount specific to this work activity, and begin billing the monthly recurring rent charge. Once CLEC has completed fiber placement, CLEC can request Qwest to return and complete the splicing activity at the rate reflected in this Agreement. In the case of missing equipment cables, CLEC will be responsible for installing the cables if not delivered at job completion. The installation activity must be conducted by a Qwest approved vendor and follow the designated racking route. Final test and turn-up will be performed under the maintenance and repair process contained herein.

8.5.2 Billing - Virtual Collocation

8.5.2.1 Virtual Collocation will be considered complete when the C-POI has been constructed, the shared fiber Collocation entrance facility has been provisioned, and the collocated equipment has been installed. Cooperative testing between CLEC and Qwest may be negotiated and performed to ensure continuity and acceptable transmission parameters in the facility and equipment.